



IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

In re Patent Application of  
KYLE MC CAIN

Serial No.: 10/632,193

Filed 07/31/2003

For: Process for fabricating of a speaker enclosure having any preselected external, shape containing internal cavities shaped with preselected enhancements for each preselected driver mounted within said shaped enclosure

Art Unit 1734

I hereby certify that this correspondence is being deposited with the United States Postal Service as EXPRESS MAIL in an envelope

ADDRESSED TO:  
Commissioner of Patents  
and Trademarks, P.O Box 1450  
Alexandra Virginia 22313-1450

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John E. Halamka  
Dated: 11 February 2005  
Palos Verdes Estates, California

Examiner: George R. Koch III  
Art Unit 1734

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**  
**TO FIRST OFFICE ACTION**  
**ATTN:**  
**BRENDA MUING LEGAL INSTRUMENTS EXAMINER (LIE)**  
**TELEPHONE NO. 571-272-1033**

Honorable Commissioner of Patents and Trademarks  
Washington, D. C. 20231  
Attn: Examiner George R. Koch III

Responsive to the document dated 02/01/2005, NOTICE OF NON-COMPLIANT AMENDMENT to the First Office action dated 10/20/2004, it is requested that the corrections in the original response to office action be accepted with the attached additional submission of the corrections sent out in the claims and set out in substitute pages of CLAIM 1 (FIRST AMENDED) and the application found allowable to proceed to issue.

Applicant's attorney sincerely expresses his gratitude to the examiner for the work in pointing out the lack of clarity and insufficient antecedent basis for some of the limitations in the claims. The finding of patentable matter is most appreciated.

Applicant's attorney anticipates that all of the issues are resolved but if something needs clarification, he holds himself ready to timely respond to a phone call or other communication.

Upon consideration of the above remarks, the applicant respectfully believes that the application will be found in condition for review and such review is respectfully solicited.

The original response was filed within the three months allowed and thus applicant's attorney believes no fees are due for that response. However, if any fees are due for this additional response made within the fourth month for the original date of the Office Action, the Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-0207. A duplicate copy of this sheet is enclosed.

- Any additional fees required by 37 CFR due upon the filing of this response.
- Any processing fees under 37 CFR.

Respectfully submitted,

John E. Halamka

ATTACHMENTS:

- 1) AMENDMENT TO CLAIMS
- 2) SUBSTITUTE PAGES OF AMENDED CLAIMS